

REMARKS

The Final Office Action mailed July 13, 2004 has been received and carefully noted. The following remarks are submitted as a full and complete response thereto.

No extension of time is believed to be required based upon the filing of this Amendment prior to the deadline of the three-month statutory period (i.e., October 13, 2004). Authorization is granted to charge counsel's Deposit Account No. 01-2300, referencing **Attorney Docket No. 101173-00012**, for any additional fees necessary for entry of this Amendment.

Claims 9-10 and 19-20 have been amended. Applicants submit that the amendments made herein are fully supported in the Specification and the drawings, as originally filed, and therefore no new matter has been introduced. Accordingly, claims 1-20 are pending in the present application and are respectfully submitted for reconsideration.

Claims 1, 3, 6, 9-11, 13, 16 and 19-20 were finally rejected under 35 U.S.C. § 103(a) as being unpatentable over the Allsop et al. patent (U.S. Patent No. 5,970,472) in view of the Walker et al. patent (U.S. Patent No. 5,794,207). The rejections are respectfully traversed and reconsideration is requested.

Independent claim 9, as amended, recites a record medium housing a program for controlling a computer so that, in pertinent part, the computer transmits an order sheet including method of delivery information through the network. Independent claim 10, as amended, recites the record medium of independent claim 9, including that the computer specifies a necessary dealing shop from among the extracted dealing shops based on dealing shop specifying information transmitted from the user terminal and transmits dealing shop detailed data of the specified dealing shop through the network.

Independent claim 19, as amended, recites a record medium housing a program for controlling a computer so that, in pertinent part, the computer transmits an order sheet including method of delivery information through the network. Independent claim 20, as amended, recites the record medium of independent claim 19, including that the computer specifies a necessary dealing shop from among the extracted shops based on dealing shop specifying information transmitted from the user terminal and transmits dealing shop detailed data of the necessary dealing shop through the network. It is submitted that neither the Allsop et al. patent nor the Walker et al. patent, alone or in alleged combination, discloses or suggests the record media, as claimed.

The Allsop et al. patent is directed to performing electronic commerce on the Internet by providing links from product manufacturers to authorized dealers where the authorized dealer provides a custom order interface for the manufacturer's products. As acknowledged by the Examiner, the Allsop et al. patent "fails to disclose having dealing shop database of dealing shops carrying out inspection, repair and delivery of the commodity data, including address", as claimed. The Examiner proceeds to rely on the Walker et al. patent as disclosing such a dealing shop database. The Walker et al. patent, however, is directed to a method and apparatus for facilitating buyer-driven conditional purchase offers. It is respectfully submitted that neither reference, either alone or in alleged combination, discloses or suggests the record media, as claimed.

While the Walker et al. patent appears to disclose that seller database 260 maintains data on sellers participating in the system, such does not disclose or suggest the dealing shop data base as claimed in the present invention, namely, a computer having dealing shop data base of dealing shops carrying out inspection, repair and delivery of the commodity data, including

address recorded so as to be retrieved, the computer refers to the dealing shop data base based on destination information transmitted from the user terminal to extract at least a dealing shop in neighborhood of the destination and transmits dealing shop data of the dealing shop through the network. Rather, in the system disclosed by the Walker et al. patent, a buyer merely posts a purchase offer for goods or services to which a seller selectively responds. Thus, there is no motivation in the Walker et al. patent for having a dealing shop database as claimed in the present invention. In addition, seller database 260 is merely used to authenticate the seller's identity prior to binding the CPO. Specifically, central controller 200 extracts the seller ID from seller response 110 and looks up the seller's identity in seller database 260. Information in seller database 260 then provides an indication of the seller's ability to deliver the goods. (col. 19, ls. 13 - 28) For example, before a seller can bind CPO 100 for an airline ticket, central controller 200 must authenticate that the seller is an airline. (col. 19, ls. 29 - 44)

Further, neither the Allsop et al. patent nor the Walker et al. patent discloses, in pertinent part, that a computer transmits an order sheet including method of delivery through the network. Specifically, the present invention permits the user to select and input method of delivery, including a method that the commodity is delivered from the selected dealing shop as finished goods or from the manufacturer as an assembling set. Such is also not disclosed or suggested by the cited references.

Since the Allsop et al. patent and the Walker et al. patent fail to disclose the present invention as claimed in independent claims 9-10 and 19-20, it is submitted that the alleged combination of these references also does not disclose or suggest the claimed invention. Nor even if the references were combinable, as suggested by the Examiner, would such alleged combination result in the claimed invention. It is therefore submitted that the references, either

alone or in alleged combination, fail to disclose or suggest the claimed record media of the present invention. Based upon the forgoing, it is respectfully submitted that independent claims 9-10 and 19-20 are patentable and in condition for allowance. Reconsideration is respectfully requested.

Claims 1-8 and 11-18 were finally rejected under 35 U.S.C. § 103(a) as being unpatentable over the Allsop et al. patent in view of the Rauhala patent (U.S. Patent No. 6,680,919). Claims 2, 4-5 and 7-8 are dependent on independent claims 1, 3 and 6. Claims 12, 14-15 and 17-18 are dependent on independent claims 11, 13 and 16, respectively. Independent claims 1, 3, 6, 11, 13 and 16 have been amended. The rejections are respectfully traversed and reconsideration is requested.

Independent claim 1, as amended, recites an electronic commercial transaction system including a server and a plurality of user terminals capable of communicating with each other through a network. The server comprising, in pertinent part, server side transmission means for transmitting commodity data of the commodity specified by the commodity specifying means, dealing shop data of the dealing shop extracted by the dealing shop extracting means and an order sheet including method of delivery information to the user terminal. The user terminal comprising, in pertinent part, user terminal side transmission means for transmitting the commodity specifying information, the destination information and an order sheet input information including method of delivery information to the server. Independent claim 3, as amended, is directed to a server and has similar claim content to that of independent claim 1. Independent claim 6, as amended, is directed to a user terminal, has similar claim content to that of independent claim 1 and comprises access means for obtaining access to the server including the commodity data base and the dealing shop data base.

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Independent claim 11, as amended, recites an electronic commercial transaction system including a server and a plurality of user terminals capable of communicating with each other through a network. The server comprising, in pertinent part, server side transmission means for transmitting commodity data of the commodity specified by the commodity specifying means, dealing shop data of the dealing shop extracted by the dealing shop extracting means and an order sheet including method of delivery information to the user terminal. The user terminal comprising, in pertinent part, user terminal side transmission means for transmitting the commodity specifying information, the consignee information and an order sheet input information including method of delivery information to the server. Independent claim 13, as amended, is directed to a server and has similar claim content to that of independent claim 11. Independent claim 16, as amended, is directed to a user terminal, has similar claim content to that of independent claim 11 and comprises access means for obtaining access to the server including the commodity data base and the dealing shop data base.

Again, as acknowledged by the Examiner, the Allsop et al. patent "fails to disclose having dealing shop database of dealing shops carrying out inspection, repair and delivery of the commodity data, including address", as claimed. The Examiner proceeds to rely on the Rauhala patent as disclosing such dealing shop database. Specifically, the Examiner notes that "Rauhala in column 4, lines 30-35, discloses a list of local dealers or repair centers which can be downloaded electronically". However, such is neither equivalent nor analogous to the dealing shop data base as claimed in the present invention, namely, a dealing shop data base having dealing shop data of dealing shops carrying out inspection, repair and delivery of various kinds of commodities including address recorded so as to be retrieved. Rather, the Rauhala patent merely discloses downloading of location-specific information to a specific mobile

communications terminal (MCT), including a list of numbers of local dealers or repair centers, for facilitating service of the specific MCT being used. (col. 4, ls. 24-34) Further, neither the Allsop et al. patent nor the Rauhala patent discloses, in pertinent part, an electronic commercial transaction system comprising, in pertinent part, server side transmission means for transmitting an order sheet including method of delivery information to a user terminal and user side transmission means for transmitting order sheet input information including method of delivery information to the server.

Since neither the Allsop et al. patent nor the Rauhala patent discloses the invention as claimed in independent claims 1, 3, 6, 11, 13 and 16, it is submitted that the alleged combination of these references also does not disclose or suggest the claimed invention. Nor even if the references were combinable, as suggested, would such alleged combination result in the claimed invention. It is therefore submitted that the references, either alone or in alleged combination, fail to disclose or suggest the electronic commercial transaction systems, servers and user terminals, as claimed. Based upon the forgoing, it is respectfully submitted that independent claims 1, 3, 6, 11, 13 and 16 are patentable and in condition for allowance. Reconsideration is respectfully requested.

Based upon the patentability of the above independent claims, it is further submitted that the corresponding dependent claims are also patentable since they differ in scope from the parent independent claims. Dependent claims 2, 4-5 and 7-8 depend from independent claims 1, 3 and 6, respectively, and dependent claims 12, 14-15 and 17-18 depend from independent claims 11, 13 and 16, respectively. The dependent claims are further limited to additional features of the invention. Therefore, it is respectfully submitted that the dependent claims are patentable over

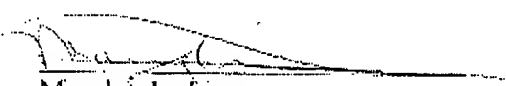
the cited references for at least the reasons set forth above with respect to their respective independent claims. Reconsideration is respectfully requested.

Entry of this Amendment after final rejection is therefore submitted as proper in that it places the application in condition for allowance. Particularly, the present Amendment is submitted as not raising new issues or requiring further consideration or searching. Undersigned counsel would accordingly appreciate the Examiner telephoning counsel prior to the expiration of the six-month statutory period (i.e., January 13, 2005) to indicate the disposition of this Response.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicant's undersigned counsel at the telephone number, indicated below, to arrange for an interview to expedite the disposition of this application.

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Respectfully submitted,



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